



MISSOURI DEPARTMENT OF MENTAL HEALTH

KEITH SCHAFER, DEPARTMENT DIRECTOR



DEPARTMENT
OPERATING
REGULATION
NUMBER

DOR
6.650

CHAPTER Human Resources	SUBCHAPTER Employee Rules	EFFECTIVE DATE 7/1/09	NUMBER OF PAGES 2	PAGE NUMBER 1 of 2
SUBJECT Nepotism		AUTHORITY Section 630.050, RSMo., Art VII, Sec 6, Mo Constitution	HISTORY See Below	
PERSON RESPONSIBLE Deputy Director, Administration			SUNSET DATE 7/1/12	

PURPOSE: Prescribes prohibition of nepotism in the department.

APPLICATION: Applies to appointing authorities and supervisors.

(1) Appointing authorities (i.e., department director, division directors and heads of facilities) shall not hire, appoint or promote their relatives within the fourth degree of consanguinity (i.e., blood relative) or affinity (i.e., marriage) to any positions in the department, division or facilities. Employees shall not be delegated to act as appointing authorities to hire, appoint or promote employees related to themselves while so acting or related to the authorities who delegated the appointing task to them.

(A) The fourth degree of consanguinity or affinity is calculated by counting up from the appointing authority to the nearest common ancestor and then down to the relative. For example, a spouse is related in the "0" degree, parents and children are related in the first degree, grandchildren, grandparents, brothers and sisters in the second, nieces, nephews, aunts and uncles in the third, and first cousins in the fourth.

(B) "Affinity" relationships are limited to the blood relatives of the employee's spouse.

(C) If any appointing authority hires, appoints or promotes relatives within the fourth degree of consanguinity or affinity, the appointing authority's position shall be forfeited and the appointing authority shall be dismissed.

(2) Managers or supervisors shall not hire, appoint, promote recommend selection or promotion, or otherwise participate in the appointing, hiring or promoting of a relative within the fourth degree of consanguinity or affinity to any positions within their span of control (i.e., supervisor chain) in the department, division or facility. If any names of relatives within the fourth degree of affinity or consanguinity appear on registers of eligible from the Personnel Division, the managers or supervisors shall notify the next-level-up manager or supervisor and the facility personnel office of the relationships and of the disqualification from hiring, appointing, promoting, recommending or otherwise participating in the decision to select or promote the relative.

(3) As of the effective date of this DOR, appointing authorities shall not appoint, demote, promote, transfer or assign any supervisor or employee to supervise (i.e., rate or review on performance plan and appraisal) any of their spouses, children, siblings, parents, grandparents, or grandchildren.



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(4) Supervisors shall not supervise (rate or review) their spouses, children, siblings, parents, grandparents or grandchildren unless the supervision began before February 1, 1985.

(5) An appointing authority shall not change lines of supervision of an organization to avoid supervision of spouses, children, siblings, parents, grandparents or grandchildren unless the respective responsibilities can be logically separated to avoid actual or perceived conflicts or interest in official duties. The appointing authority shall consult with the department's Deputy Director for Human Resources to determine alternatives for removing any actual or perceived conflict of interest. The appointing authority shall meet with the employees involved to discuss alternatives and give due consideration to their wishes before taking action to remove the conflict within a reasonable period of time.

(6) Any questions regarding the application of this DOR to any existing supervisor-supervisee relationship, job applicants, persons transferring or persons bidding on positions should be submitted to the department's Deputy Director for Human Resources. The department's Deputy Director for Human Resources shall obtain legal advice and respond accordingly.

(7) Failure to comply or assure compliance with the provisions of this Department Operating Regulation may be caused for disciplinary action up to and including dismissal.

(8) The Director of the Office of Human Resources will review and analyze any statutory, regulatory or policy changes as they occur to determine their effect on the provisions of this Department Operating Regulation and will make changes as necessary.

History: Original DOR Effective April 15, 1990. Amendment effective July 1, 1996. Amendment effective July 1, 2002. Amendment effective September 1, 2002. On July 1, 2006 the sunset date was extended to July 1, 2009. On July 1, 2009, the sunset date was extended to July 1, 2012.